

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

22-CR-184-V

DANIEL WARMUS,

Defendant.

MOTION TO SEAL

THE UNITED STATES OF AMERICA, by and through Trini E. Ross, United States Attorney for the Western District of New York, and Russell T. Ippolito, Jr., Assistant United States Attorney, hereby submits this motion to seal. This motion is based on the accompanying Affidavit of Russell T. Ippolito, Jr., Assistant United States Attorney.

DATED: Buffalo, New York, May 1, 2023.

TRINI E. ROSS
United States Attorney

BY: *s/RUSSELL T. IPPOLITO, JR.*
Assistant United States Attorney
United States Attorney's Office
Western District of New York
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Buffalo, New York 14202
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Defendant.

AFFIDAVIT

STATE OF NEW YORK)
COUNTY OF ERIE) SS:
CITY OF BUFFALO)

RUSSELL T. IPPOLITO, JR., being duly sworn, deposes and states:

1. I am an Assistant U.S. Attorney for the Western District of New York and am assigned in the prosecution of above-captioned case. This affidavit is made in support of U.S. Probation's application to modify the terms and conditions of defendant's release.

2. The government respectfully requests that the attached letter and affidavit, and the exhibits attached to the affidavit, be filed under seal. The records contain the statements of local government employees who are fearful that revealing their names publicly will cause the defendant's followers to unleash another torrent of harassing, abusive and threatening telephone calls. They are fearful for their safety and the safety of members of their family.

WHEREFORE, for the foregoing reasons, the government respectfully requests that the Court grant the government's motion to seal the statements of local government officials.

DATED: Buffalo, New York, May 1, 2023.

s/RUSSELL T. IPPOLITO, JR.
Assistant United States Attorney

Sworn to before me
this 1st day of May, 2023.

s/MONIQUE A. GIBSON
COMMISSIONER OF DEEDS
In and for the City of Buffalo, New York
My Commission Expires Dec. 31, 2024

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CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2023, I filed the foregoing **MOTION TO SEAL** with the Clerk of the District Court using its CM-ECF system.

I further certify that the foregoing as provided via United States mail to the following non-CM/ECF participant:

Daniel J. DuBois
390 Elmwood Avenue
Buffalo, New York 14222

S/MONIQUE A. GIBSON